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10/561,503

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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/561,503
Filing Date: December 19, 2005
Appellant(s): HARAI, SATOSHI

Thomas M. Spielbauer
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed August 11, 2008 appealing from the Office action mailed February 13, 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

JP 2002-23663 TAKAMIZAWA YUKIO ET AL. 1-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

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1. Claims 11, 13 – 16 and 21 – 26 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2002-23663.

JP 2002-23663 discloses a double-sided pressure-sensitive sheet (Figure 1) comprising, in the following order, a first pressure-sensitive adhesive layer (Figure 1, #4), a first black layer (Page 5 of the translation, Paragraph 0011, lines 10 - 27), a flexible base layer (Figure 1, #3), a second black layer (Page 5 of the translation, Paragraph 0011, lines 10 - 27), and a second pressure-sensitive adhesive layer (Figure 1, #2), wherein said first pressure-sensitive adhesive layer and second pressure-sensitive adhesive layer are the outermost layers on either side of the double-sided pressure-sensitive sheet (Figure 1, #4 and 2), and wherein the thickness of the double-sided pressure-sensitive sheet is no greater than 60 μm (Page 5 of the translation, Paragraph 0013, lines 16 - 22) as in claim 21. With regard to claim 11, the first black layer and second black layer are black printed layers formed on each side of the flexible base layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 - 27).

Regarding claim 13, the laminate further comprises a reflective layer situated between the second black layer and the second pressure-sensitive adhesive layer (Page 4, Column 2, lines 1 – 10).

As in claims 14 – 16, said reflective layer is a metal layer, a white film or a white printed layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 - 27).

JP 2002-23663 also discloses a double-sided pressure-sensitive sheet (Figure 1) comprising, in the following order, a first pressure-sensitive adhesive layer (Figure 1, #4), a first flexible base layer (Page 3 of the translation, Paragraph 0005, lines 14 – 22), a first black layer

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(Page 5 of the translation, Column 1, Paragraph 0011, lines 10 – 27), a lamination layer (Figure 1, #3), a second black layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 – 27), a second flexible base layer (Page 3 of the translation, Paragraph 0005, lines 14 – 22), and a second pressure-sensitive adhesive layer (Figure 1, #2), wherein said first pressure-sensitive adhesive layer and said second pressure-sensitive adhesive layer are the outermost layers on either side of the double-sided pressure-sensitive sheet (Figure 1, #2 and 4), and wherein the thickness of the double-sided pressure-sensitive sheet is no greater than 60 μm (Page 5 of the translation, Paragraph 0013, lines 16 - 22) as in claim 22.

With regard to claim 23, the double-sided pressure-sensitive sheet further comprises a reflective layer situated between the second black layer and the second pressure-sensitive adhesive layer (Page 4 of the translation, Column 2, lines 1 – 10).

As in claims 24 – 26, said reflective layer is a metal layer, a white film or a white printed layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 - 27).

(10) Response to Argument

Appellant argues that JP'663 fails to disclose two separate adhesive layers and two separate black layers as JP'663 only discloses one protective layer. Appellant also argues that JP'663 fails to disclose a reflective layer situated between the second black layer and the second pressure sensitive adhesive layer.

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In response to Appellant's argument that JP'663 fails to disclose two separate adhesive layers and two separate black layers as JP'663 only discloses one protective layer, JP '663 discloses (Page 3 of the translation, Paragraph 0005, lines 14 – 22), a first black layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 – 27), a lamination layer (Figure 1, #3), a second black layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 – 27), a second flexible base layer (Page 3 of the translation, Paragraph 0005, lines 14 – 22), and a second pressure-sensitive adhesive layer (Figure 1, #2). JP '664 clearly discloses that additional layers may be present in the construction of the double sided adhesive, which allows the black layer and the adhesive layer being two distinct layers.

In response to Appellant's argument that JP'663 fails to disclose a reflective layer situated between the second black layer and the second pressure sensitive adhesive layer, the double-sided pressure-sensitive sheet further comprises a reflective layer situated between the second black layer and the second pressure-sensitive adhesive layer (Page 4 of the translation, Column 2, lines 1 – 10), wherein the metal vapor deposited on the plastic film acts a reflective layer.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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